

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 18-20422

STEVEN MIRACLE,

Defendant.

ORDER GRANTING DEFENDANT'S "MOTION TO STAY"

On August 12, 2020, Defendant Robert Miracle has filed a motion for a reduction in his sentence under 18 U.S.C. § 3582(c)(1)(A). (ECF No. 24.) The United States filed a timely response on September 22, 2020. (ECF No. 26.)

On October 7, 2020, the court received a filing entitled "Motion to Stay 3582 Proceedings" which was signed and dated September 29, 2020. (ECF No. 27.) The text of this motion explains that Defendant is requesting more time to formulate his reply because he had not yet received a copy of the response briefing. (It seems likely that the two filings may have crossed in the mail.) Defendant cites the delays experienced by the US Post Office and the prison mail system due to the pandemic as the reason for such an extension. Consequently, the court interprets Defendant's motion to be a timely request for an extension of time to file his reply brief, which the court will now grant.

Under Federal Rule of Civil Procedure 6(b)(1), extensions of time should be granted only when "good cause" exists. The court finds that the prison mailing delays caused by the pandemic constitute good cause justifying an extension of time to file in

this instance. The court will therefore extend the deadline to file a reply for an additional 60-days. Accordingly,

IT IS ORDERED that Defendant's "Motion to Stay 3582 Proceedings" (ECF No. 27) is INTERPRETED as a motion for an extension of time and is GRANTED.

Defendant must file his reply by **December 14, 2020**.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: October 21, 2020

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 21, 2020, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522

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